IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6440 of 2007

(CRIME NO. 219/2007 OF PIRAVOM POLICE STATION)
.....

PETITIONER/3RD ACCUSED:

ANOOP VISWANATHAN, SIVASAKTHI,
KAPPIL EAST, KAYAMKULAM.

BY ADV. SRI.A.SHAFEEK.

RESPONDENT/COMPLAINT:

THE STATE OF KERALA, REPRESENTED BY THE
CIRCLE INSPECTOR OF POLICE, PIRAVOM,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/10/2007,ALONG WITH B.A. NO. 6487/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6440 & 6487 of 2007

Dated this the 24th day of October 2007

O R D E R

These applications are for regular bail. The petitioners are accused 2 and 3. Altogether there are five accused persons. First accused has already been arrested and enlarged on bail. Accused 4 and 5 are still at large. Third accused had filed an application for regular bail earlier and that application was dismissed as per order dated 3/10/2007 in B.A.No.5936/2007. I have adverted to facts in detail in that order. This order must be read in continuation of that order. I am not hence adverting to facts in any greater detail. The alleged incident took place on 08/09/2007. F.I.S was lodged only on 15/9/2007. Both the petitioners were arrested on 17/9/2007 along with the first accused who has already been enlarged on bail. The petitioners continue in custody from 17/9/2007. They face allegations for offences punishable inter alia under Section 392 I.P.C. The petitioners have criminal antecedents also, it is pointed out.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that

regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) They shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

iii) During the said period of two months, they shall not enter the jurisdiction of Piravom police station without the prior permission of the learned Magistrate except for the purpose of complying with the condition No.ii) above.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007